

BID OPENING

CITY OF SAN JOSE
OFFICE OF THE CITY CLERK

City Clerk
Time Stamp

RECEIVED
San Jose City Clerk

2010 MAR 30 P 2:47

TOTAL BASE BID

\$ 875,100,-

ALT NO. 1 _____

ALT NO. 2 _____

ALT NO. 3 _____

Alt No. 4 _____

Alt No. 5 _____

BID DATE: Tuesday, March 30, 2010

Project Manager: Jess Tanciangco ~ 793.4145

South Bay Advanced Recycled Water Treatment Facility Project – Early Earthwork

BIDDER NAME:

Gateb Paving Inc.

Bond _____ Cashier's Check _____

Addendums Included ()

YES ☒ NO ☐

Non-Collusion Affidavit

YES ☒ NO ☐

San Jose/Santa Clara Water Pollution Control Plant

SOUTH BAY ADVANCED RECYCLED WATER TREATMENT FACILITY PROJECT – EARLY EARTHWORK

Bid Documents

Bid Opening

3:00 PM

~~Thursday,~~
~~February 25, 2010~~
~~March 30, 2010~~

Bidder: _____

Galeb Paving, Inc.

PROPOSAL TO CITY OF SAN JOSE

FOR

South Bay Advanced Recycled Water Treatment Facility Project – Early Earthwork

Name of Bidder: Galeb Paving, Inc.

The representations herein are made under penalty of perjury.

To: The City of San Jose, State of California

The undersigned, as bidder, declares that the only person or parties interested in this proposal as principals are those named herein; that this proposal is made without collusion with any other person, firm or corporation; that the bidder has thoroughly read and examined and has full knowledge of and understands all the provisions and contents of this proposal and the documents which must be attached hereto, the Plans approved by the Director of Environmental Services Department on City notation, entitled South Bay Advanced Recycled Water Treatment Facility Project – Early Earthwork and the Specifications approved by the Director of Environmental Services Department on City notation, entitled South Bay Advanced Recycled Water Treatment Facility Project – Early Earthwork on file in the office of CIP Engineering, San Jose/Santa Clara Water Pollution Control Plant, Environmental Services Department, San Jose, California; that the bidder has thoroughly examined said Plans and Specifications which are on file in the office of CIP Engineering, San Jose/Santa Clara Water Pollution Control Plant, Environmental Services Department, and that the bidder has full knowledge of and understands said Plans and Specifications and the requirements thereof; and that the bidder has further read and understands, and has knowledge of the contents of any and all addenda to said Plans and Specifications on file; and that the bidder proposes and agrees, if this proposal is accepted, that the bidder will contract with the City of San Jose, in the form of the copy of the contract on file in the office of CIP Engineering, San Jose/Santa Clara Water Pollution Control Plant, Environmental Services Department, to do all the work and furnish all materials specified or referred to in the contract, in the manner and time therein prescribed, and according to the requirements of the City or Director of Environmental Services Department as therein set forth, to furnish the contract, bonds and insurance specified in the Specifications, and to do all other things required of the Contractor by the contract; and will take in full payment therefor the following price or unit prices as shown in the Schedule of Quantities on Page 2.

If the bidder or other interested persons is a corporation, state legal name of corporation, also names of the President, Secretary, Treasurer, and the Manager thereof; if a partnership, state the name of the partnership, if one exists, also the names of all the partners comprising the partnership; if any of the partners are individuals, state the first and last name of every individual in full, if any of the partners are corporations, state for each such corporation, the information required above of corporations; if any of the partners are partnerships, state for each such partnership the information required above of partners; if the bidder or other interested person is a joint-venture, state the name of the joint venture, also names of all joint venturers comprising the joint venture; if any of the joint venturers are individuals, state the first and last name of every individual comprising the joint venture; if any of the joint venturers are corporations, state for each corporation the information required above of corporations; if any of the joint venturers are partnerships, state for each such partnership, the information required above of partners; if bidder or other interested persons is an individual, state first and last names in full.

If bidder is an individual, the bidder's signature shall be placed below; if bidder is an individual, doing business under a fictitious name, the name of the individual followed by the words "doing business under (insert the fictitious name)" shall be set forth above, together with the signature of the individual; if bidder is a corporation, the legal name of the corporation shall be set forth above, together with the signature of the officer or officers of the corporation, authorized to sign contracts on behalf of the corporation, the corporate title; that is Vice-President, Secretary, etc., should be placed below the name

Galeb Paving, Inc. – Corporation : President – Slobodan Galeb
Vice President – Tomo Galeb
Secretary – Margaret Galeb
Treasurer
Manager – Lepa Galeb

ADDENDUM NO. 3

**BREAKDOWN OF QUANTITIES / PRICE BREAKDOWNS
FOR**

South Bay Advanced Recycled Water Treatment Facility Project – Early Earthwork

PART A. BID ITEMS

Bid Item	Item	Estimated Quantity	Unit Price (In Figures)	Total Price (In Figures)
1	Mobilization	Lump Sum	N/A	\$ 2,000.00
2	Demobilization	Lump Sum	N/A	\$ 2,000.00
3A	Off-site disposal of excess excavated soil at the City's Residual Solids Management (RSM) facility	Lump Sum	N/A	\$ 34,000.00
4	Compacted earthfill for surcharge fill (above El. 12.5 - 13.4)	Lump Sum	N/A	\$ 120,000.00
5	Compacted earthfill, other than surcharge fill	Lump Sum	N/A	\$ 407,600.00
6	Balance of Work Items	Lump Sum	N/A	\$ 206,500.00
TOTAL OF BID ITEMS (PART A)		Lump Sum	N/A	\$ 773,100.00

PART B. SUPPLEMENTAL BID ITEM

This bid item may or may not be required, and may be deleted entirely, by deductive change order, at the sole discretion of the City.

Bid Item	Item	Estimated Quantity	Unit Price (In Figures)	Total Price (In Figures)
3B	Additional cost of off-site disposal of excess excavated soil at a disposal site provided by the Contractor	Lump Sum	N/A	\$ 103,000.00
TOTAL SUPPLEMENTAL BID ITEM (PART B)		Lump Sum	N/A	\$ 103,000.00

TOTAL BID AMOUNT (PART A + PART B) IN FIGURES: \$ 875,100.00

TOTAL BID AMOUNT (PART A + PART B) IN WORDS: Eight Hundred Seventy Five Thousand and One Hundred

The total bid amount shall be the sum of Total of Bid Items (Part A) and the Total Supplemental Bid (Part B) and will be used to determine the lowest bid price. The bid shall include all State, Federal, and other taxes applicable to the project and shall be firm offer for a period of 120 days after bid opening.

BIDDER:

Caleb Paving, Inc.

Company

Margaret Galea

Signature

One Hundred Dollars and no cents

of the officer and the corporate seal affixed; if bidder is a partnership, the legal name of the partnership, if one exists, shall be set forth above, together with the signature of the partner or partners authorize to sign contracts on behalf of the partnership; if any of the partners are corporations, execution for such partners shall be accomplished in accordance with the requirements set forth above for corporations; if any of the partners are partnerships, execution for such partners shall be accomplished in accordance with the requirements set forth above for partnership; if bidder is a joint-venture, the legal name of the joint venture, if one exists, shall be set forth above for partnerships. If signature is by an agent other than an officer of a corporation, or member of a partnership or a joint venture, a Power of Attorney must be on file with the City Clerk prior to opening bids or submitted with the bid; otherwise, the bid may, at the City's option, be disregarded as non-responsive.

If this proposal shall be accepted and the undersigned shall fail to contract, and to give the Contractor's Bond For Faithful Performance and the Contractor's Payment Bond required by the specifications and contract and by law, and to provide all insurance as required by said contract, within eight (8) days after the bidder has received notice from the City of San Jose, the City may, at its option, determine that the bidder has abandoned his/her contract, and thereupon this proposal and the acceptance thereof shall be null and void, and the forfeiture of such security accompanying this proposal shall operate and the same shall be the property of the City of San Jose.

In accordance with Public Contract Code Section 10232, the Contractor, hereby states under penalty of perjury, that no more than one final unappealable finding on contempt of court by a federal court has been issued against the Contractor within the immediately preceding two year period because of the Contractor's failure to comply with an order of a federal court which orders the Contractor to comply with an order of the National Labor Relations Board. Signing this Proposal on the signature portion thereof shall constitute signature of this Statement.

Accompanying this proposal are the following documents completely filled in by the bidder and the same are incorporated herein by reference;

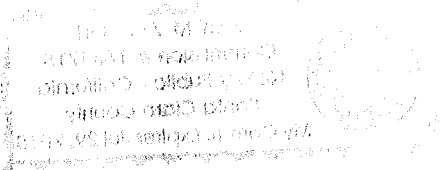
1. Cash, a cashier's check or a certified check made payable to City, or a bidder's bond executed by an admitted surety insurer naming the City as beneficiary, in an amount equal to at least ten percent (10%) of the total amount bid including all alternatives.
2. A list of subcontractors for work over one half of one percent, if any, the address of each subcontractor and the description of work to be done by each subcontractor.
3. A statement of financial responsibility, technical ability, and experience if such information is not already on file with the City.

City may at its option, request additional supplemental information after bid opening.

Bidder understands that the City reserves the right to reject any or all bids and to waive any informalities in the bidding.

The undersigned, as bidder, declares that in listing subcontractors in this bid, I have not discriminated or given any preference to any firm based on race, sex, color, age, religion, sexual orientation, actual or perceived gender identity, disability, ethnicity, or national origin. I understand that any such discrimination or preference is in violation of Chapter 4.08 of the Municipal Code.

Execution of the Non-Collusion Affidavit constitutes execution of this Bid Proposal including the above statement of nondiscrimination and, with the exception of the Bidder's Bond or Addenda, if any, no other signatures will be required



List of Subcontractors

Designation of Subcontractors shall be as required in Section 2-1.15A of the City of San Jose Standard Specifications, July 1992.

Bidder: Caleb Paving, Inc.

Name of Subcontractor	Location of Business	Portion of Work
Central Fence	San Jose, CA	Fence
Selby's Soil	San Jose Loomis, CA	Soil Erosion Control
G.D.G.	San Jose, CA	Underground

Mandatory Submittals Requirement & Acknowledgement

San Jose/Santa Clara Water Pollution Control Plant

South Bay Advanced Recycled Water Treatment Facility Project - Early Earthwork

Required Submittal:

1. Safety Records

- A. Copy of completed OSHA Form 300A, "Summary of Work-Related Injuries and Illnesses" for most recent calendar year.
- B. Copy of communication from contractor's workers' compensation insurance carrier indicating the contractor's "Experience Modifier" (or "ex. Mod").

2. Applicable Certificates

Confined space training certificates for rescuer & crew members and previous experience pertinent to Confined Space work.

** Will be turned in if deemed low bidder. J. M. M. M.*

Statement of Qualifications

B&V Project No. 146071
January 2010
Issued For Bid

ACKNOWLEDGEMENT OF ADDENDA
For
San Jose/Santa Clara Water Pollution Control Plant

South Bay Advanced Recycled Water Treatment Facility Project – Early Earthwork

The undersigned Bidder acknowledges the receipt and acceptance of the following addenda:

Addendum No. <u>1</u>	Date Issued <u>2/22/10</u>
Addendum No. <u>2</u>	Date Issued <u>3/1/10</u>
Addendum No. <u>3</u>	Date Issued <u>3/4/10</u>
Addendum No. <u>4</u>	Date Issued <u>3/10/10</u>
Addendum No. <u>5</u>	Date Issued <u>3/22/10</u>
Addendum No. <u>6</u>	Date Issued <u>3/24/10</u>
Addendum No. _____	Date Issued _____
Addendum No. _____	Date Issued _____
Addendum No. _____	Date Issued _____
Addendum No. _____	Date Issued _____
Addendum No. _____	Date Issued _____
Addendum No. _____	Date Issued _____


SIGNATURE

Gales Paving, Inc.
COMPANY

February 22, 2010

**ADDENDUM NO. 1
TO THE PLANS AND SPECIFICATIONS FOR
SOUTH BAY ADVANCED RECYCLED WATER
TREATMENT FACILITY PROJECT – EARLY EARTHWORK**

Notice is hereby given that the following revisions, additions and/or deletions are hereby made part of, and incorporated into the Plans and Specifications for South Bay Advanced Recycled Water Treatment Facility Project – Early Earthwork.

REVISION TO THE PROJECT PLANS AND SPECIFICATIONS:

The bid opening date has been moved to Thursday, March 4, 2010.

IMPORTANT

THIS ADDENDUM SHOULD BE ACKNOWLEDGED WHEN YOUR BID IS SUBMITTED. FAILURE TO ACKNOWLEDGE THE ADDENDUM MAY CONSTITUTE GROUNDS FOR REJECTION OF BID.

Submit this Addendum #1 package with your bid proposal.

The bidder must sign this addendum in the space provided below and return one signed copy of THIS SHEET with the bid. Failure to return the signed copy with the bid documents shall not relieve the bidder of the obligation to include this addendum in the bid proposal.

Galeb Paying, Inc.
Bidder's Name

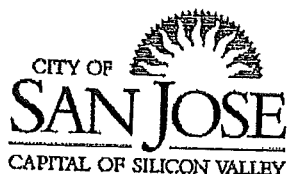
Approved by:

Secretary/Treasurer, [Signature]
Signature and Title of Bidder

[Signature]
Bhavani Yerrapotu
Division Manager, Technical Support Services
SJ/SC Water Pollution Control Plant

3/30/10
Date

THIS ADDENDUM CONTAINS 1 PAGE(S),
INCLUDING THIS COVER PAGE



Environmental Services Department
SAN JOSE/SANTA CLARA WATER POLLUTION CONTROL PLANT

March 1, 2010

**ADDENDUM NO. 2
TO THE PLANS AND SPECIFICATIONS FOR
SOUTH BAY ADVANCED RECYCLED WATER
TREATMENT FACILITY PROJECT - EARLY EARTHWORK**

Notice is hereby given that the following revisions, additions and/or deletions are hereby made part of, and incorporated into the Plans and Specifications for South Bay Advanced Recycled Water Treatment Facility Project - Early Earthwork.

REVISION TO THE PROJECT PLANS AND SPECIFICATIONS:

The bid opening date has been moved to Thursday, March 11, 2010.

IMPORTANT

THIS ADDENDUM SHOULD BE ACKNOWLEDGED WHEN YOUR BID IS SUBMITTED. FAILURE TO ACKNOWLEDGE THE ADDENDUM MAY CONSTITUTE GROUNDS FOR REJECTION OF BID.

Submit this Addendum #2 package with your bid proposal.

The bidder must sign this addendum in the space provided below and return one signed copy of THIS SHEET with the bid. Failure to return the signed copy with the bid documents shall not relieve the bidder of the obligation to include this addendum in the bid proposal.

Gateb Paving, Inc.
Bidder's Name

Approved by:

Secretary/Treasurer, [Signature]
Signature and Title of Bidder

[Signature] For
Bhavani Yerrapotu
Division Manager, Technical Support Services
SJ/SC Water Pollution Control Plant

Date

3/30/10

THIS ADDENDUM CONTAINS 1 PAGE(S),
INCLUDING THIS COVER PAGE.

March 4, 2010

**ADDENDUM NO. 3
TO**

**THE PLANS AND SPECIFICATIONS
FOR
SOUTH BAY ADVANCED RECYCLED WATER TREATMENT
FACILITY PROJECT – EARLY EARTHWORK**

Notice is hereby given that the following revisions, additions and/or deletions are hereby made of, and incorporated into the Plans and Specifications for the **SOUTH BAY ADVANCED RECYCLED WATER TREATMENT FACILITY PROJECT – EARLY EARTHWORK**

IMPORTANT

THIS ADDENDUM MUST BE ACKNOWLEDGED WHEN YOUR BID IS SUBMITTED. FAILURE TO ACKNOWLEDGE THE ADDENDUM MAY CONSTITUTE GROUNDS FOR REJECTION OF THE BID.

INSTRUCTIONS:

This Addendum No. 3, pages 1 through 42 including attachments, modifies the Bidding Documents for the **SOUTH BAY ADVANCED RECYCLED WATER TREATMENT FACILITY PROJECT – EARLY EARTHWORK**, and shall become part of the Contract Documents for this Project.

The Contract Time is not changed.

Submit this Addendum #3 package with your bid proposal.

The bidder must sign this addendum in the space provided below and return one signed copy with the bid. Failure to return the signed copy with the bid document shall not relieve the bidder of the obligation to include this addendum in the bid proposal.

Gale Paving, Inc.
Bidder's Name

Approved by:

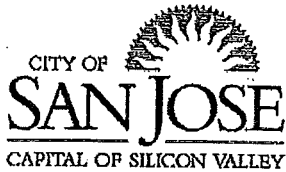
Secretary/Treasurer, [Signature]
Signature and Title of Bidder

[Signature]
Bhavani Yerrapotu, P.E.
Division Manager, Technical Support Services
SJ/SC Water Pollution Control Plant

Date

3/30/10

THIS ADDENDUM CONTAINS FORTY-TWO (42) PAGES



Environmental Services Department
SAN JOSE/SANTA CLARA WATER POLLUTION CONTROL PLANT

March 10, 2010

**ADDENDUM NO. 4
TO THE PLANS AND SPECIFICATIONS FOR
SOUTH BAY ADVANCED RECYCLED WATER
TREATMENT FACILITY PROJECT – EARLY EARTHWORK**

Notice is hereby given that the following revisions, additions and/or deletions are hereby made part of, and incorporated into the Plans and Specifications for South Bay Advanced Recycled Water Treatment Facility Project – Early Earthwork.

REVISION TO THE PROJECT PLANS AND SPECIFICATIONS:

The bid opening date has been moved to Thursday, March 25, 2010.

IMPORTANT

THIS ADDENDUM SHOULD BE ACKNOWLEDGED WHEN YOUR BID IS SUBMITTED. FAILURE TO ACKNOWLEDGE THE ADDENDUM MAY CONSTITUTE GROUNDS FOR REJECTION OF BID.

Submit this Addendum #4 package with your bid proposal.

The bidder must sign this addendum in the space provided below and return one signed copy of THIS SHEET with the bid. Failure to return the signed copy with the bid documents shall not relieve the bidder of the obligation to include this addendum in the bid proposal.

Galeo Paving, Inc.
Bidder's Name

Approved by:

Secretary/Treasurer, [Signature]
Signature and Title of Bidder

[Signature]
Bhavani Yerrapotu
Division Manager, Technical Support Services
SJ/SC Water Pollution Control Plant

3/10/10
Date

THIS ADDENDUM CONTAINS 1 PAGE(S),
INCLUDING THIS COVER PAGE.



Environmental Services Department

SAN JOSE/SANTA CLARA WATER POLLUTION CONTROL PLANT

March 22, 2010

**ADDENDUM NO. 5
TO
THE PLANS AND SPECIFICATIONS
FOR
SOUTH BAY ADVANCED RECYCLED WATER TREATMENT
FACILITY PROJECT – EARLY EARTHWORK**

Notice is hereby given that the following revisions, additions and/or deletions are hereby made of, and incorporated into the Plans and Specifications for the **SOUTH BAY ADVANCED RECYCLED WATER TREATMENT FACILITY PROJECT – EARLY EARTHWORK**

IMPORTANT

THIS ADDENDUM MUST BE ACKNOWLEDGED WHEN YOUR BID IS SUBMITTED. FAILURE TO ACKNOWLEDGE THE ADDENDUM MAY CONSTITUTE GROUNDS FOR REJECTION OF THE BID.

INSTRUCTIONS:

This Addendum No. 5, pages 1 through 6, and attachments modifies the Bidding Documents for the SOUTH BAY ADVANCED RECYCLED WATER TREATMENT FACILITY PROJECT – EARLY EARTHWORK, and shall become part of the Contract Documents for this Project.

The Contract Time is not changed

Submit this Addendum #5 package with your bid proposal.

The bidder must sign this addendum in the space provided below and return one signed copy with the bid. Failure to return the signed copy with the bid document shall not relieve the bidder of the obligation to include this addendum in the bid proposal.

Galeb Paving, Inc.

Bidder's Name

Approved by:

Secretary/Treasurer, [Signature]

Signature and Title of Bidder

[Signature]

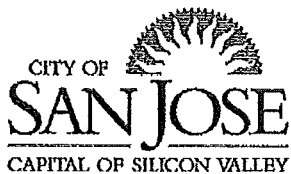
Bhavani Yerrapotu, P.E.

Division Manager, Technical Support Services
SJ/SC Water Pollution Control Plant

3/20/10

Date

THIS ADDENDUM CONTAINS SIX (6) PAGES
PLUS ATTACHMENTS TWO (2) PAGES



Environmental Services Department

SAN JOSE/SANTA CLARA WATER POLLUTION CONTROL PLANT

March 24, 2010
ADDENDUM NO. 6

TO
THE PLANS AND SPECIFICATIONS
FOR
SOUTH BAY ADVANCED RECYCLED WATER TREATMENT
FACILITY PROJECT – EARLY EARTHWORK

Notice is hereby given that the following revisions, additions and/or deletions are hereby made of, and incorporated into the Plans and Specifications for the **SOUTH BAY ADVANCED RECYCLED WATER TREATMENT FACILITY PROJECT – EARLY EARTHWORK**

IMPORTANT

THIS ADDENDUM MUST BE ACKNOWLEDGED WHEN YOUR BID IS SUBMITTED. FAILURE TO ACKNOWLEDGE THE ADDENDUM MAY CONSTITUTE GROUNDS FOR REJECTION OF THE BID.

INSTRUCTIONS:

This Addendum No. 6, pages 1 through 4, and attachments modifies the Bidding Documents for the **SOUTH BAY ADVANCED RECYCLED WATER TREATMENT FACILITY PROJECT – EARLY EARTHWORK**, and shall become part of the Contract Documents for this Project.

The Bid Opening Date has been changed to 3:00 p.m., March 30, 2010.
The Contract Time is not changed.

Submit this Addendum #6 package with your bid proposal.

The bidder must sign this addendum in the space provided below and return one signed copy with the bid. Failure to return the signed copy with the bid document shall not relieve the bidder of the obligation to include this addendum in the bid proposal.

Galeb Paving, Inc.
Bidder's Name

Approved by:

Secretary/Treasurer, Galeb Paving, Inc.
Signature and Title of Bidder

Bhavani Yerrapotu, P.E.
Division Manager, Technical Support Services
SJ/SC Water Pollution Control Plant

3/30/10
Date

**THIS ADDENDUM CONTAINS FOUR (4) PAGES PLUS
ATTACHMENTS TWO (2) PAGES**

BIDDER'S BOND

KNOW ALL PERSONS BY THESE PRESENTS:

That we, Galeb Paving, Inc. as PRINCIPAL,

and Developers Surety and Indemnity Company, a corporation duly organized

under the laws of the State of Iowa and duly licensed to become sole surety on bonds required or authorized by the State of California, as SURETY, are held and firmly bound unto the City of San Jose (hereinafter called the "City"), in the penal sum of TEN PERCENT (10%) OF THE TOTAL AMOUNT OF THE BID of the Principal above named, submitted by said Principal to the City of San Jose, for the work described below; for the payment of which sum in lawful money of the United States, well and truly to be made, we bind ourselves, our heirs, executors, administrators and successors, jointly and severally, firmly by these presents. In no case shall the liability

of the Surety hereunder exceed the sum of Ten Percent (10%) of the

Total Amount Bid--- DOLLARS (\$ --10%--).

THE CONDITION OF THIS OBLIGATION IS SUCH,

That whereas the Principal has submitted the above mentioned bid to the City of San Jose, for certain construction specifically described as follows, for which bids are to be submitted in the Office of the City Clerk, Wing 2nd Floor, New City Hall, San Jose, California on **March 30, 2010** for the **South Bay Advanced Recycled Water Treatment Facility Project – Early Earthwork**.

NOW, THEREFORE, if the aforesaid Principal is awarded the contract and, within the time and manner required under the specifications, after the prescribed forms are presented to Principal for signature, enters into a written contract, in the prescribed forms, in accordance with the bid, and files a Faithful Performance Bond and a Contractor's Payment Bond, and files the required insurance policies with the City, all as required by the specifications and the contract or by law, then the obligation shall be null and void; otherwise it shall be and remain in full force and effect.

The Surety, for value received, hereby stipulates and agrees that the obligation of said Surety and its bond shall be in no way impaired or affected by any extension of the time within which the Owner may accept such Bid; and said Surety does hereby waive notice of any such extension.

In the event suit is brought upon this bond by the Obligee and judgement is recovered, the Surety shall pay all costs incurred by the Obligee in such suit, including a reasonable attorney's fee to be fixed by the court.

IN WITNESS WHEREOF, we have hereunto set our hands and seals on this 26th

 day of March, 20 10.

PRINCIPAL

SURETY

Galeb Paving, Inc.

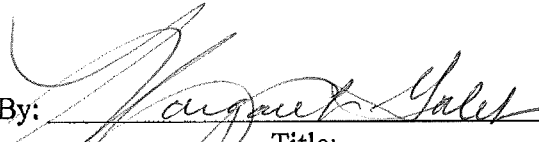
Developers Surety and Indemnity Company

Legal Company Name

Legal Company Name

Corporation

Indicate Type of Entity

By: 
Title: Secretary/Treasurer,
Margaret Galeb

By: 
Title: Erin Bautista, Attorney-in-Fact

By: _____
Title: _____

By: _____
Title: _____

(Affix Corporate Seals)

(Attach Acknowledgments of both Principal and Surety signatures)

ACKNOWLEDGMENT

State of California
County of Santa Clara)

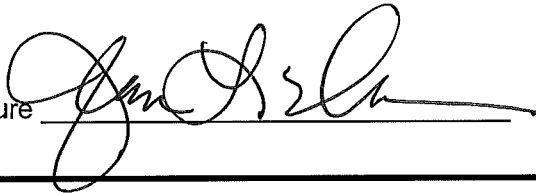
On March 26, 2010 before me, Jean L. Neu, Notary Public
(insert name and title of the officer)

personally appeared Erin Bautista,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/~~are~~
subscribed to the within instrument and acknowledged to me that ~~he~~/she/~~they~~ executed the same in
~~his~~/her/~~their~~ authorized capacity(ies), and that by ~~his~~/her/~~their~~ signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

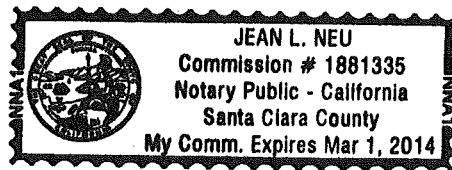
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature



(Seal)



POWER OF ATTORNEY FOR
DEVELOPERS SURETY AND INDEMNITY COMPANY
INDEMNITY COMPANY OF CALIFORNIA
PO Box 19726, IRVINE, CA 92623 (949) 263-3300

KNOW ALL MEN BY THESE PRESENTS, that as except as expressly limited, DEVELOPERS SURETY AND INDEMNITY COMPANY and INDEMNITY COMPANY OF CALIFORNIA, do each, hereby make, constitute and appoint:

Jean L. Neu, Erin Bautista, Bryan D. Martin, B. A. Poitevin, jointly or severally

as their true and lawful Attorney(s)-in-Fact, to make, execute, deliver and acknowledge, for and on behalf of said corporations, as sureties, bonds, undertakings and contracts of suretyship giving and granting unto said Attorney(s)-in-Fact full power and authority to do and to perform every act necessary, requisite or proper to be done in connection therewith as each of said corporations could do, but reserving to each of said corporations full power of substitution and revocation, and all of the acts of said Attorney(s)-in-Fact, pursuant to these presents, are hereby ratified and confirmed.

This Power of Attorney is granted and is signed by facsimile under and by authority of the following resolutions adopted by the respective Board of Directors of DEVELOPERS SURETY AND INDEMNITY COMPANY and INDEMNITY COMPANY OF CALIFORNIA, effective as of January 1st, 2008.

RESOLVED, that the chairman of the Board, the President and any Vice President of the corporation be, and that each of them hereby is, authorized to execute Powers of Attorney, qualifying the attorney(s) named in the Powers of Attorney to execute, on behalf of the corporations, bonds, undertakings and contracts of suretyship; and that the Secretary or any Assistant Secretary of the corporations be, and each of them hereby is, authorized to attest the execution of any such Power of Attorney;

RESOLVED, FURTHER, that the signatures of such officers may be affixed to any such Power of Attorney or to any certificate relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signatures shall be valid and binding upon the corporations when so affixed and in the future with respect to any bond, undertaking or contract of suretyship to which it is attached.

IN WITNESS WHEREOF, DEVELOPERS SURETY AND INDEMNITY COMPANY and INDEMNITY COMPANY OF CALIFORNIA have severally caused these presents to be signed by their respective Vice President and attested by their respective Assistant Secretary this January 1st, 2008.

By: 
Stephen T. Pate, Senior Vice President

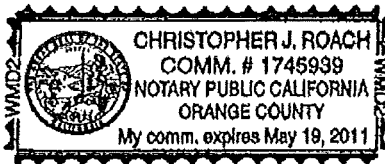
By: 
Charles L. Day, Assistant Secretary

State of California
County of Orange



On January 1st, 2008 before me, Christopher J. Roach, Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Stephen T. Pate and Charles L. Day
Name(s) of Signer(s)



Place Notary Seal Above

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature 
Christopher J. Roach

CERTIFICATE

The undersigned, as Assistant Secretary, of DEVELOPERS SURETY AND INDEMNITY COMPANY and INDEMNITY COMPANY OF CALIFORNIA, does hereby certify that the foregoing Power of Attorney remains in full force and has not been revoked, and furthermore, that the provisions of the resolutions of the respective Boards of Directors of said corporations set forth in the Power of Attorney, are in force as of the date of this Certificate.

This Certificate is executed in the City of Irvine, California, the 26th day of March, 2010.

By: 
Albert Hillebrand, Assistant Secretary

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

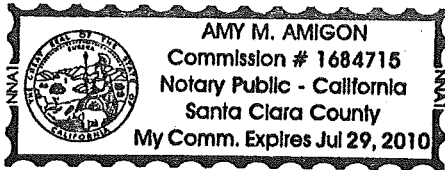
County of Santa Clara

On 3/30/10 before me, Amy M. Amigon, Notary Public

personally appeared Margaret Galeb

Here Insert Name and Title of the Officer

Name(s) of Signer(s)



who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

Amy M. Amigon

Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: BID BOND - City of San Jose - Early Earthwork

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

- ☐ Individual
- ☐ Corporate Officer — Title(s): _____
- ☐ Partner — ☐ Limited ☐ General
- ☐ Attorney in Fact
- ☐ Trustee
- ☐ Guardian or Conservator
- ☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here

Signer's Name: _____

- ☐ Individual
- ☐ Corporate Officer — Title(s): _____
- ☐ Partner — ☐ Limited ☐ General
- ☐ Attorney in Fact
- ☐ Trustee
- ☐ Guardian or Conservator
- ☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here